

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRETA IRBY,

Plaintiff,

v.

BROOKS HENDERSON HADEN,

Defendant.

No. C 08-80004 MISC PJH

**AMENDMENT TO ORDER
DATED JUNE 25, 2008**

The court is in receipt of a June 26, 2008 letter from plaintiff's counsel, requesting that the court amend its order of June 25, 2008 in order to correct the identification of plaintiff's counsel to reflect "Rhonda L. Nelson and Jan T. Chilton" rather than "Vincent A. Harrington", and further requesting that the court publish the decision. In a response dated June 27, 2008, defendant does not oppose an amendment correcting counsel's name, but opposes any request for publication.

Plaintiff's request to correct the names appearing in the order is GRANTED and the court hereby AMENDS the June 25 order to reflect that plaintiff was represented by Rhonda L. Nelson and Jan T. Chilton at the hearing on defendant's motion to vacate registration of foreign judgment.

The court construes plaintiff's request that the court publish the June 25 order as a request that the court submit the order to West Publishing with a request that it publish the order. The request is DENIED. This court cannot recall ever making such a request of West or of any other publisher, yet the parties are advised that there are nonetheless dozens of this court's orders and decisions published in the Federal Supplement and hundreds published on-line. All of this court's written product is in the public record and

1 publishers decide for themselves what to publish. Thus this denial has no effect on
2 whether the order will ultimately be published.

3 The court takes this opportunity to correct defense counsel's mis-characterization of
4 the June 25 order. The court did not *rely* upon an Oklahoma state court applying
5 Oklahoma state law in deciding the California law question presented by this motion.
6 Rather the court found the reasoning of the Oklahoma court helpful, although not
7 controlling, and more importantly, consistent with United States Supreme Court authority,
8 which is controlling.

9 **IT IS SO ORDERED.**

10 Dated: July 9, 2008



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12 PHYLLIS J. HAMILTON
13 United States District Judge
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